

Yukikazu MORI, S.N. 09/459,202
Page 20

Dkt. 2271/60882

REMARKS

The application has been reviewed in light of the final Office Action dated December 11, 2006. Claims 1-34 are pending. By this Amendment, claim 26 has been amended to clarify the claimed subject matter, without introducing any new subject matter and/or new issues. Therefore, entry of this amendment is requested. Accordingly, claims 1-34 are presented for reconsideration, with claims 1, 9, 10, 22-24 and 26-28 being in independent form.

Claim 26 was rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Patent No. 6,052,445 to Bashoura et al. Claims 1, 2, 5, 6, 9-14, 18-22, 25 and 31-33 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Bashoura in view of U.S. Patent 6,437,871 to Yuki. Claims 3, 4, 7, 8, 15-17, 21, 23-25, 29, 30 and 34 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Bashoura in view of Yuki and further in view of U.S. Patent 5,381,527 to Inniss et al. Claims 27 and 28 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over Bashoura in view of Inniss.

Applicant respectfully submits that the rejections of the claims under 35 U.S.C. § 103(a) are fundamentally flawed for at least the following reasons, and requests withdrawal of the rejections of the claims.

As discussed already in the record, the subject matter of the present claims of this application is directed to improved features for network facsimile operations, including the following features, amongst others: providing input means for an operator to (i) input information identifying a plurality of destinations to be registered, including for each destination a plurality of address information respectively corresponding to a plurality of communication modes, (ii) designate one of the plurality of registered destinations, (iii) select any one of a plurality of communication modes (for example, e-

Yukikazu MORI, S.N. 09/459,202
Page 21

Dkt. 2271/60882

mail, real-time Internet communication, public network communication, etc.) available for communicating with the designated destination, and (iv) then request that the image information, obtained from scanning of the document, be transmitted to the corresponding address of the designated destination through the selected communication mode. Each of independent claims 1, 9, 10, 22-24 and 26-28 addresses these features, as well as additional features.

The Office Action apparently concedes that neither Bashoura nor Yuki proposes allowing the user sending the facsimile document to use the input means to select any one of the plurality of communication modes available for communicating with a designated destination, and then request that the image information for the facsimile document, obtained from scanning of the document, be transmitted to the corresponding address of the designated destination through the selected communication mode.

However, it is contended on page 3 of the Office Action that these features would have been obvious because "one of the addresses must be selected in order for communication with the designated destination to take place".

This contention entirely ignores the fact that the subject matter of Bashoura is a fax routing system and method which chooses the most economical route for the fax *automatically* (that is, without allowing the user to choose the ultimate mode of communication). The Summary section of Bashoura (column 1, line 31 through column 2, line 16) states as follows in relevant part:

SUMMARY OF THE INVENTION

...
Another object of the present invention is to provide a fax routing system and method which routes a fax over the most economical route.

A still further object of the present invention is to provide a fax routing system and method which chooses the most economical route for the fax *automatically*.

A still further object of the present invention is to provide a fax routing system

Yukikazu MORI, S.N. 09/459,202
Page 22

Dkt. 2271/60882

and method which does not require a special document scanner to read the fax, but can instead *utilize a standard fax machine*.

...
A still further object of the present invention is to provide a fax routing system and method for routing faxes over the most economical route which is *easy to operate*.

These as well as still further objects, features and benefits of the present invention are provided by a fax routing system and method which is adaptable to using a standard fax machine and PC to identify the most economical route for the fax and to direct the fax over that route. The system and method includes a fax director connected to the fax machine, to the PC, to a telephone line, and, optionally, to the Internet.

Transmission of the fax begins in the normal manner by placing the fax to be sent in the standard fax machine. The fax director provides the standard fax machine with a dial tone and then receives and decodes the number which is dialed by the standard fax machine. This number is then routed to the PC, which looks it up in a table.

If the number is in the table, a corresponding Internet address is returned. The fax director then handshakes with the standard fax machine. The fax director then receives the fax being sent by the standard fax machine and converts it into a computer file. That computer file is then sent to the Internet address. The Internet address can be a standard IP address or an E-mail address.

If the number is not in the table, the fax director dials the telephone number over the telephone line and then connects the standard fax machine to the telephone line so that the fax can be sent in its-normal manner.

Thus, Bashoura proposes that the device should utilize a standard fax machine and should be easy to operate, and moreover, in order to avoid making the process more complicated for the user than transmitting a facsimile conventionally, the selection of the mode of communication must be performed automatically by the computer based on determination of the most economical route. Bashoura does not provide means for overriding the automated decision process by the computer.

As emphasized in Bashoura, it is desirable to allow the user to use a standard fax machine to input the document image. Such standard fax machine of course only allows communication through a telephone line and therefore simply does not provide means for selecting from a plurality of communication modes. The fax director of Bashoura (see Fig. 2) does not include a user interface. Although the local computer storing the table 7 of Bashoura is a standard computer,

Yukikazu MORI, S.N. 09/459,202
Page 23

Dkt. 2271/60882

Bashoura does not teach or suggest that means are provided for the user to select the mode of communication by operating the computer after the user scans the document to be transmitted on the standard fax machine. Indeed, one following the teachings of Bashoura simply would not modify the process so as to require the user to go to the computer to select the mode of communication, since it is one of the ultimate teachings of Bashoura that the process should be no more complicated than operating a standard fax machine. Further, it simply is not practical to require a user to scan a document at the standard fax machine at one location and then go to another location to designate the mode of communication.

In addition, although the table 7 in Bashoura is stored in a computer which may include user input means, it, contrary to the contention in the Office Action, is not inherent that the information stored in the table is operator input through the computer input means. For example, as noted in Bashoura, the computer is connected to the Internet and therefore the table information can be downloaded from a database through the Internet automatically. Since the information can be automatically downloaded to the computer through the Internet, it is not inherent that the information in the table was user input through the computer input means.

Indeed, automation of the process is one of the objectives of Bashoura, and the available communication modes are transparent to the user, who merely assumes that the facsimile document will be delivered to the specified destination, without concern regarding the communication mode through which the document is delivered.

Yuki, likewise, proposes that a lowest cost communication line is automatically selected.

Neither Bashoura nor Yuki proposes or suggests that means should be provided for the user to select the communication mode and the document image should be transmitted through the user-

Yukikazu MORI, S.N. 09/459,202
Page 24

Dkt. 2271/60882

selected communication mode. Instead, Bashoura and Yuki each emphasizes that economy (that is, low cost), rather than user choice, is the driving factor for the selection of the communication mode. One of ordinary skill in the art, contrary to the contention in the Office Action, would not have been motivated to modify the combination of Bashoura and Yuki to provide means for allowing the user to select the communication mode, and transmit the facsimile document through the user-selected communication mode.

Inniss, as understood by Applicant, proposes a system for distribution of messages utilizing a data processing system, wherein a distribution channel is selected in response to a user selection of a particular distribution media. If transmission via the selected distribution channel fails, an alternate distribution media is selected and the message is converted to that alternate distribution media.

Applicant maintains that the cited art does not find teach or suggest, however, a network facsimile device wherein for each registered destination, a plurality of address information respectively corresponding to a plurality of communication modes are registered, and before document image information corresponding to a scanned document is transmitted to a destination, an operator, using input means provided with the network facsimile device, selects any one of the plurality of communication modes available for communicating through the network facsimile device with the selected destination, and then requests that the image information be transmitted to the corresponding address of the designated destination through the selected communication mode, as provided by the subject matter of claim 1.

Independent claims 9, 10, 22-24 and 26-28 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that

Yukikazu MORI, S.N. 09/459,202
Page 25

Dkt. 2271/60882

independent claims 1, 9, 10, 22-24 and 26-28, and the claims depending therefrom, are patentable over the cited art.

In view of the amendments to the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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